

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 16-0600 JGB (SPx)**

Date October 31, 2023

Title ***WB Music Corp. et al. v. Royce International Broadcasting Corp. et al.***

Present: The Honorable JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE

MAYNOR GALVEZ

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: Order (1) GRANTING Plaintiffs' Request for Attorneys' Fees (Dkt. No. 534); (2) GRANTING-IN-PART Receiver's Request for Attorneys' Fees (Dkt. No. 535); and (3) ORDERING Defendants and Defendants' Counsel to Pay Sanctions (IN CHAMBERS)

On October 19, 2023, the Court granted two motions for sanctions against defendants Royce International Broadcasting Corporation, Playa Del Sol Broadcasters, and Edward R. Stolz, II (collectively, "Defendants"), along with Defendants' counsel, in the form of reasonable attorneys' fees. ("Sanctions Order," Dkt. No. 533.) The Court ordered Plaintiffs and Receiver to submit requests for attorneys' fees and costs incurred in litigating the motion for relief from receivership and the motions for sanctions. (*Id.*) On October 27, 2023, plaintiff WB Music Corp., et al. ("Plaintiffs") filed a request for attorneys' fees and costs ("Plaintiffs Request," Dkt. No. 534) and receiver W. Lawrence Patrick ("Receiver") filed a request for attorneys' fees and costs ("Receiver Request," Dkt. No. 535). The Court has reviewed both requests. The Court **GRANTS** the Plaintiffs Request and **GRANTS-IN-PART** the Receiver Request, as follows:

Plaintiffs Request

1. Plaintiffs are entitled to its attorneys' fees and costs as sanctions against Defendants Royce International Broadcasting Corporation, Playa Del Sol Broadcasters, and Edward R. Stolz, II and Defendants' counsel, Donald Charles Schwartz.
2. The Court finds that the average hourly rates requested by Plaintiffs' counsel are reasonable.
3. The Court finds that the hours reported by Plaintiffs' counsel for litigating the Rule 60 and Rule 11 motions are reasonable.

4. Accordingly, the Court finds that Plaintiffs are awarded \$48,141.15 in attorneys' fees.
5. Plaintiffs are awarded its costs in the amount of \$584.55.
6. Pursuant to the foregoing, in TOTAL, Plaintiffs are hereby awarded \$48,725.70 in reasonable attorneys' fees and costs.

Receiver Request

7. Receiver is entitled to its attorneys' fees and costs as sanctions against Defendants Royce International Broadcasting Corporation, Playa Del Sol Broadcasters, and Edward R. Stolz, II and Defendants' counsel, Donald Charles Schwartz.
8. The Court finds that the average hourly rates requested by Receiver's counsel are reasonable.
9. The Court finds that the hours reported by Receiver's counsel for litigating the Rule 60 and Rule 11 motions are excessive. The Court finds that some of the hours billed appear unnecessary and excessive considering the time and labor required, complexity of the issues involved, and skill requisite to perform the legal service properly. See Kerr v. Screen Extras Guild, Inc., 526 F.2d 67, 69-70 (9th Cir. 1975).
10. Accordingly, the Court finds that Receiver will be awarded \$48,182.00 in attorneys' fees.
11. Pursuant to the foregoing, in TOTAL, Receiver is hereby awarded \$48,182.00 in reasonable attorneys' fees.

Defendants Royce International Broadcasting Corporation, Playa Del Sol Broadcasters, and Edward R. Stolz, II, and Defendants' counsel, Donald Charles Schwartz are jointly and severally liable for each of the amounts ordered. The Court **ORDERS** Defendants and Defendants' counsel, Donald Charles Schwartz, to pay Plaintiffs' and Receiver's expenses, as outlined above, no later than **January 5, 2024** and submit a notice to the Court demonstrating that they have done so by the same date. Failure to comply with this order may result in the imposition of an additional coercive fine payable to the Court and/or additional sanctions.

IT IS SO ORDERED.